State of Ainbring Unified Judicial System Form C-21 (Front) Rev. 7/2017

PROCESS OF GARNISHME

ELECTRONICALLY FILED
5/10/2022 9:59 AM
47-SM-2020-901964.00
DISTRICT COURT OF
MADISON COUNTY, ALABAMA
DEED A KIZED CLERK

MAME AND ADDRESS OF FLANTIFF (Persons Assarting Claim) MAME AND ADDRESS OF DEFENDANT (Persons Minose Proper SASANIA RESOLUTION COMPANY No. 1988 1.19	IN THE DISTRICT	- TOTALIVI	DISTRICT COURT OF MADISON COUNTY, ALAE	
MARE AND ADDRESS OF ATTORNEY FOR PLANTIFF: BIANM M. CLOUD; CLOUD WILLS & ELLS, LLC. BIANM M. CLOUD; CLOUD WILLS & ELLS, LLC. JUDGMENT ANOUNT; \$655.12 NAME AND ADDRESS OF CARNISHEE: CLOUD CORPORATE CRATIONS NETWORK INC, 4000 EAGLE POINT CORPORATE DRIVE BIRMINISHAM AL 35223 A. I make oath that I have obtained the above judgment and believe the named garnishee in ur will be indebted to the named defending surishment in grow or has no rivel have effected on the judgment and believe the named garnishee in ur will be indebted to the named defending surishment in grow was a serious of the judgment and believe the named garnishee in ur will be indebted to the named defending surishment in grow was a serious of the judgment of judgment of judgment of judgment of the judgment of judgm	NAME AND ADDRESS OF PLAINTIEF (Parsons 4-	IADISON	DEBRA KIZER, CLERI	
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3928 MONTCLAR ROAD, SUITE 227, BIRMINGHAM, AL 35213 NAME AND ADDRESS OF CARNISHEE: Volus Super Markets, Inc. C/O CORPORATE CREATIONS NETWORK INC, CARLE POINT CORPORATE DRIVE BIRMINGHAM AL 35242 LESS CREDIT; \$0.00 TOTAL: \$842.80 TO	HAME AND ADDRESS OF ATTORNEY FOR PLAINTIFE			
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Service on (Defendant) on (Date) Title:	Pate)			
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PLAINTIFF (Copy) DEFENDANT (Copy) GARNISHEE (Com)	T RECORD (Ostaine)	ناها المستقال فرود المستقال ال		
		GARNISHEE (Copy)		

State of Alabama Unified Judicial System

Form C-21 Rev. 7/2017

Served By:

DOCUMENT 29

PROCESS OF GARNISHMEN

ELECTRONICALLY FILED 5/10/2022 11:53 AM 47-SM-2020-901964.00 DISTRICT COURT OF MADISON COUNTY, ALABAMA DEBRA KIZER, CLERK

(Judgment and costs). You are

on (Date)

WRIT OF GARNISHMENT

TO ANY LAW ENFORCEMENT OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to serve this Process of Garnishment on the GARNISHEE, PUBLIX SUPER MARKETS, INC. and a copy on the defendant, MACK TOMEKA (D001) (GOAH) make proper return to this

NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION ON THE NEXT PAGE REGARDING YOUR RIGHTS. NOTICE TO GARNISHEE: YOU ARE THE GARNISHEE IN THE ABOVE ACTION.

You must complete and file the enclosed Answer form within thirty (30) days from service of process. If you fail to file an Answer, the plaintiff can proceed for judgment against you for the amount of the claim, plus costs. Mailing the notarized Answer form to the Clerk of the Court at the address below constitutes making a proper appearance in the Court. YOU MUST ANSWER:

Whether you are or will be indebted to the defendant at the time you received this process, or when you make your answer, or during the intervening time, or

You are commanded to retain the amount indicated above from wages, salary or other compensation due or which will become due to the

Whether you will be indebted to the defendant in the future by existing contract, or

defendant for such period of time as is necessary to accumulate the sum \$ \$842.80

- (3) Whether by existing contract you are liable to the defendant for the delivery of personal property, or for the payment of money, or
- Whether you have in your possession or control, money or effects belonging to the defendant.

Title:

redelied, alter a per	lod or so days iron the first retention of any sum	from the detendants wages, salary, or other compensation, to begin
paying the moneys	withheld into court as they are deducted or withhe	ld and continue to do so on a monthly or more frequent basis until the full
amount is withheld.	If employment of the defendant is terminated BEF	ORE the sum is accumulated, you are required by law to report the
termination and pay	into court within 15 days AFTER termination, all	sums withheld in compliance with this garnishment. (See Instructions
wages, salary or oth	tached in this packet). If you have in your possess ser compensation, and is not exempt as a matter of re as "Total," whichever is less, subject to orders of /s/ DEBRA KIZER	sion or control property or money belonging to the defendant, which is NOT of law, you are further commanded to hold the property or money, or the of this Court. By: /s/ ELC
5/10/2022	Clerk	Deputy Clerk
	Address: MADISON COUNTY, ALABAMA 100 NORTHSIDE SQUARE, HUNTSVILLE, AL 35801	
This process was	executed by serving a copy on (Garnishee)	
on (Date)	. Service on Defendant	on (Date)

Form C-21 (back)

Rev. 7/2017

PROCESS OF GARNISHMENT

Instructions for Determining the Percentage of Wages, Salary or Other Compensation to be Withheld

I. GARNISHMENTS TO COLLECT JUDGMENTS ARISING FROM SITUATIONS OTHER THAN CONSUMER LOANS, CONSUMER CREDIT SALES OR CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF:§6-10-7, Code of Alabama 1975, and Title 15, §1673, United States Code ("U.S.C."). Under Alabama and federal law, the amount subject to garnishment to collect such judgments shall not exceed the LESSER of:

twenty-five (25) percent of "disposable earnings" for the week; OR

- the amount by which "disposable earnings" for the week exceed thirty (30) times the federal minimum hourly wage in effect at the time the earnings are payable.
- II. GARNISHMENTS TO COLLECT JUDGMENTS ARISING FROM CONSUMER LOANS, CONSUMER CREDIT SALES OR CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF: §5-19-15, Code of Alabama, 1975 as amended by Act 88-294, effective April 12, 1988, and Act 96-576, effective 5/20/1996.

Under this law, if the debt or demand was created ON OR AFTER April 12, 1988, the amount subject to garnishment shall not exceed the LESSER of:

 twenty-five (25) percent of "disposable earnings" for the week; OR (2) the amount by which "disposable earnings" for the week exceed thirty (30) times the federal minimum hourly wage in effect at the time the earnings are

payable If the debt or demand was created BEFORE April 12, 1988, the amount subject to garnishment shall not exceed the LESSER of:

(1) twenty (20) percent of "disposable earnings" for the week; OR
(2) the amount by which "disposable earnings" for the week exceed fifty (50) times the federal minimum hourly wage in effect at the time the earnings are

DISPOSABLE EARNINGS DEFINED: An employee's "disposable earnings" means that part of earnings of an individual remaining after deduction of amounts required by law to be withheld such as Federal Income Tax, Federal Social Security Tax, and State and Local Taxes.

NOTICE TO GARNISHEE

Note: If you have in your possession or control property or money belonging to the defendant (which is not wages, salary or other compensation and is not exempt as a matter of law), you are commanded to hold the property or money, or the amount shown on the other side as "Total," whichever is less, subject to the orders of the Court. Social Security, SSI, VA and federal retirement moneys are all exempt under federal faw and remain so even when deposited in a bank or other financial institution. If the only money in your possession or control belonging to the defendant is Social Security, SSI, VA or federal retirement moneys, you should indicate in your answer "all such money is exempt from execution." The formula outlined below only applies if the property sought to be garnished is wages, salary or other compensation of the defendant,

(Use the following formula to calculate a garnishment of wages, salary or other compensation)

Calculate "disposable earnings" for the week (see definition of disposable earnings" above)

If the twenty-five (25) percent block is checked on the front of this form, multiply the "disposable earnings" amount by twenty-five (25) percent. Then multiply the "minimum wage amount" (in effect at the time the earnings are payable by you) by thirty (30) and subtract this amount from "disposable earnings." Compare these two and obtain lesser amount.

If the twenty (20) percent block is checked on the front of this form, multiply the "disposable earnings" amount by twenty (20) percent. Multiply the "minimum wage amount" (in effect at the time the earnings are payable by you) by fifty (50) and subtract this amount from "disposable earnings." Compare these two and obtain lesser amount.

After the calculation is made in accordance with (2) or (3) above (whichever is applicable), the amount of the garnishment for the week is the LESSER amount. Withhold this amount and pay it into Court as instructed in the "Writ of Garnishment" on the front of this form,

THE CLERK AND OTHER COURT PERSONNEL CANNOT GIVE YOU LEGAL ADVICE, IF YOU NEED ASSISTANCE YOU SHOULD CONSULT A LAWYER

PROTECTION AGAINST DISCHARGE: Title 15, §1674, U.S.C., prohibits an employer from discharging any employee because his or her earnings have been subjected to garnishment for any one indebtedness.

NOTICE TO DEFENDANT OF RIGHT TO CLAIM EXEMPTION FROM GARNISHMENT

A process of gamishment has been delivered to you. This means that a Court may order your wages, money in a bank, sums owned to you, or other property belonging to you, to be paid into Court to satisfy a judgment against you.

Laws of the State of Alabama and of the United States provide that in some circumstances certain money and property may not be taken to pay certain types of court judgments, because certain money or property may be "exempt" from garnishment. For example, under State law, in some circumstances, up to \$7,500.00 in personal property, including money (except wages, salaries, or other compensation), bank accounts, automobiles, appliances, etc. may be exempt from process of garnishment. Similarly, under Federal law, certain benefits and certain welfare payments may be exempt from garnishment. Benefits and payments ordinarily exempt from garnishment include, for example, Social Security payments. SSI payments, veteran's benefits, AFDC (welfare) payments, unemployment compensation payments, and workers' compensation payments.

THESE EXAMPLES ARE FOR PURPOSES OF ILLUSTRATION ONLY, WHETHER YOU WILL BE ENTITLED TO CLAIM ANY EXEMPTION FROM THE PROCESS OF GARNISHMENT, AND, IF SO, WHAT PROPERTY MAY BE EXEMPT, WILL BE DETERMINED BY THE FACTS IN YOUR PARTICULAR CASE. IF YOU ARE

OF GARNISHMENT, AND, IF SO, WHAT PROPERTY MAY BE EXEMPT, WILL BE DETERMINED BY THE FACTS IN YOUR PARTICULAR CASE, IF YOU ARE UNCERTAIN AS TO YOUR POSSIBLE EXEMPTION RIGHTS, YOU SHOULD CONSULT A LAWYER FOR ADVICE.

TO CLAIM ANY EXEMPTION THAT MAY BE AVAILABLE TO YOU, YOU MUST PREPARE A "CLAIM OF EXEMPTION" FORM LISTING ON IT ALL YOUR WAGES AND PERSONAL PROPERTY; HAVE THE CLAIM OF EXEMPTION NOTARIZED; AND FILE IT IN THE CLERK'S OFFICE. ALSO, IT IS YOUR RESPONSIBILITY TO MAIL OR DELIVER A COPY OF THE CLAIM OF EXEMPTION TO THE PLAINTIFF WHO HAS A JUDGMENT AGAINST YOU, YOU MUST INDICATE ON THE CLAIM OF EXEMPTION THAT YOU FILED IN THE CLERK'S OFFICE WHETHER YOU MAILED OR DELIVERED THE COPY TO THE PLAINTIFF. AND THE DATE ON WHICH YOU MAILED OR DELIVERED IT. THE CLERK CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED ASSISTANCE, YOU SHOULD SEE

If you file a claim of exemption, the plaintiff will have approximately ten (10) days to file a "contest" of your claim of exemption. If a contest is filed, a Court hearing will be scheduled and you will be notified of the time and place of the hearing. If the plaintiff does not file a contest, the property claimed by you as exempt will be released

If you do not file a claim of exemption, your property may be turned over to the court and to the plaintiff on the judgment against you.

TO PROTECT YOUR RIGHTS, IT IS IMPORTANT THAT YOU ACT PROMPTLY. IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONSULT A LAWYER

NOTICE TO PLAINTIFF OF RIGHT TO CONTEST CLAIM OF EXEMPTION OF DEFENDANT

If a "Claim of Exemption" is filed in the Clerk's office and mailed or delivered to you by the defendant, you have approximately ten (10) days to file a "Contest" to the Claim of Exemption with the Clerk of the Court.

If a Contest is timely filed, a Court hearing will be scheduled within seven (7) calendar days (or on the next business day thereafter if the Court is not open on the seventh day). You and the defendant will be notified of the time and place of the hearing.

If you fail to make timely Contest of the Claim of Exemption, after fifteen (15) calendar days from the filing of such claim by the defendant, the Process of Gamishment and any writ of garnishment issued therein shall be dismissed or, where appropriate, modified to the extent necessary to give effect to the claimed exemptions,

IF YOU ARE UNCERTAIN AS TO HOW TO FILE A CONTEST TO THE CLAIM OF EXEMPTION, YOU SHOULD CONSULT A LAWYER FOR ADVICE. THE CLERK AND OTHER COURT PERSONNEL CANNOT GIVE YOU LEGAL ADVICE.